

Assembly Bill No. 836

Passed the Assembly May 15, 2003

Chief Clerk of the Assembly

Passed the Senate July 21, 2003

Secretary of the Senate

This bill was received by the Governor this _____ day of
_____, 2003, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to add Section 591.5 to the Penal Code, relating to wireless telephones.

LEGISLATIVE COUNSEL'S DIGEST

AB 836, La Suer. Wireless telephones: destruction.

Existing law provides that a person who unlawfully and maliciously takes down, removes, injures, or obstructs any telephone line is guilty of a misdemeanor or a felony.

This bill would provide that a person who unlawfully and maliciously removes, injures, destroys, or damages any wireless communication device with the intent to prevent the use of the device to summon assistance or notify law enforcement or any public safety agency of a crime is guilty of a misdemeanor. By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 591.5 is added to the Penal Code, to read:

591.5. A person who unlawfully and maliciously removes, injures, destroys, or damages any wireless communication device with the intent to prevent the use of the device to summon assistance or notify law enforcement or any public safety agency of a crime is guilty of a misdemeanor.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of



the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.



Approved _____, 2003

Governor

